

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

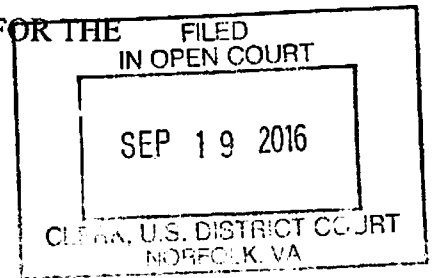
Norfolk Division

UNITED STATES OF AMERICA

v.

RON GERARD YARBOROUGH,
Defendant.

Criminal No. 2:16-cr-85



STATEMENT OF FACTS

If this matter had gone to trial, the United States would prove by admissible evidence and beyond a reasonable doubt the following:

1. This conspiracy to distribute cocaine, cocaine base and heroin began in approximately 2009 and continued until June of 2016, with various conspirators and unindicted co-conspirators joining and leaving the conspiracy at various times. With respect to the above-referenced defendant, the parties agree that throughout the course of his participation in the conspiracy, a reasonable approximation of the drug weights attributable to the defendant should be at least five (5) kilograms of cocaine, based on the information set forth below.

2. In the spring of 2010, RON YARBOROUGH sold ½ ounce of crack cocaine to CS-11 for \$600 at a residence on Plow Lane in Chesapeake. At the time of the transaction, RON YARBOROUGH possessed with intent to distribute approximately 2 ounces of crack cocaine broken down into ¼ ounce and ⅛ ounce quantities for resale.

3. In June of 2010, RON YARBOROUGH gave CS-4's phone number to RONALD JOHNSON so that JOHNSON could purchase cocaine from CS-4.

4. In the summer of 2010, while armed with a two-tone Smith and Wesson semi-automatic pistol in his waistband, RON YARBOROUGH distributed 1 ounce of cocaine to Confidential Source #3 (hereinafter "CS-3") for \$1,100 at an apartment on Berkeley Avenue in Norfolk, Virginia.

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5. In the summer of 2010, RON YARBOROUGH distributed 1 ounce of cocaine to CS-3 at an apartment on Berkeley Avenue in Norfolk. The cocaine was stashed in the balcony area of the apartment, next to a firearm.

6. In August of 2010, CS-4 left 9 ounces of cocaine with his girlfriend and instructed her to give it to RON YARBOROUGH. Later that day, RON YARBOROUGH came to her house in the 3000 block of Fireside Road in Chesapeake, and exchanged \$9,900 for the cocaine.

7. In September/October of 2010 in Chesapeake, RON YARBOROUGH told CS-4 about an out-of-town source of supply for cocaine who had been supplying CS-8 with 2 to 3 kilograms of cocaine at a time, which was then distributed to other CMG members.

8. On or about December 8, 2010, RONALD JOHNSON and RON YARBOROUGH distributed approximately 1 gram of heroin to CS-3 for \$70 in the Farm Fresh parking lot on Providence Road in Chesapeake.

9. On or about December 9, 2010, RONALD JOHNSON and RON YARBOROUGH distributed approximately 1 gram of heroin to CS-3 for \$80 on Hemple Street in Chesapeake.

10. In May of 2011, RON YARBOROUGH purchased 9 ounces of cocaine from CS-4 at the Cambridge Manor Apartments in Chesapeake.

11. In the summer of 2011, RONALD JOHNSON possessed with intent to distribute 4½ ounces of cocaine in the center console of a black Chevy Tahoe while he and RON YARBOROUGH were driving in Norfolk.

12. In early 2012, RON YARBOROUGH distributed 1 ounce of cocaine to unindicted co-conspirator number 5 (hereinafter "UCC-5") at the CMG music studio in Virginia Beach.

13. In early 2012, RON YARBOROUGH distributed 1 ounce of cocaine to UCC-5 at a Food Mart on Border Road in Chesapeake.

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14. In the early summer of 2013, DETRON JACKSON introduced CS-12 to RON YARBOROUGH, who offered to sell him $\frac{1}{8}$ ounce of cocaine for \$200, or $\frac{1}{4}$ ounce of cocaine for \$350. YARBOROUGH and CS-12 traded phone numbers to facilitate future cocaine deals.

15. In the mid-summer of 2013, RON YARBOROUGH distributed $\frac{1}{8}$ ounce ("eight-ball" or 3.5 grams) of cocaine to CS-12 for \$200 in the parking lot of Eddie's Crabhouse, on Campostella Road in Chesapeake.

16. In the late summer of 2013, RONALD YARBOROUGH distributed $\frac{1}{4}$ ounce of cocaine to CS-12 for \$400 at CMG's recording studio at 5773 Arrowhead Drive in Virginia Beach.

17. In September of 2013, RON YARBOROUGH distributed $\frac{1}{2}$ ounce of crack cocaine to CS-11 for \$600 at a residence on Flower Lane in Chesapeake. At the time of the transaction, RON YARBOROUGH possessed with intent to distribute approximately 1 ounce of crack cocaine.

18. From approximately the fall of 2013 to December of 2014, CS-11 purchased $\frac{1}{4}$ to $\frac{1}{2}$ ounce quantities of crack cocaine from RON YARBOROUGH every two to three weeks. The deals occurred at residences on Plow Lane or Flower Lane in Chesapeake, or at the Foundation Park Cuts barbershop in Chesapeake.

19. In December of 2013, BRANDON STEPHENS, RON YARBOROUGH, and DEANGELO HYMAN gave CS-8 \$300 cash because he had just been released from prison. At the same time RON YARBOROUGH offered to sell CS-8 cocaine at the CMG music studio on Arrowhead Drive in Virginia Beach.

20. Between January and April of 2014, BRANDON STEPHENS, DEANGELO HYMAN, and RON YARBOROUGH routinely stored quantities of cocaine, four 9 mm firearms and a Mossberg shotgun at the CMG music studio on Arrowhead Lane in Virginia Beach. They also routinely used the facility to cook cocaine into crack cocaine.

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21. In January of 2014, RON YARBOROUGH distributed ⅛ ounce (“eight-ball” or 3.5 grams) of cocaine to CS-8 for \$200 at the CMG music studio in Virginia Beach.

22. On or about February 23, 2014, RON YARBOROUGH, BRANDON STEPHENS and DETRON JACKSON published or caused to be published a video of themselves on YouTube entitled “No Water, No Bake,” to promote and advertise their drug trafficking activities, among other things.

23. In February/March of 2014, DETRON JACKSON, while armed with a Glock .40 caliber firearm, and RON YARBOROUGH, while armed with a 9mm firearm, distributed 2 ounces of crack cocaine to CS-19 at an apartment in the Grandy Park section of Norfolk.

24. In March of 2014, RON YARBOROUGH possessed with intent to distribute one ounce of cocaine outside Long Shot Billiards, 1125 South Military Highway in Chesapeake, and distributed ¼ ounce of that quantity to CS-8.

25. In April of 2014, CS-8 and RON YARBOROUGH purchased 4½ ounces of cocaine from unindicted co-conspirator #6 (hereinafter “UCC-6) for \$1,600 per ounce (\$6,400 total), at the Marriott Hotel, 725 Woodlake Drive, Chesapeake.

26. In April of 2014 on at least two occasions, RON YARBOROUGH cooked cocaine into crack cocaine and prepared it for further distribution at a residence rented by unindicted co-conspirator #8 (hereinafter “UCC-8”) in the 400 block of Woodview Drive in Norfolk while she was present, with her knowledge and consent.

27. Between April and August of 2014, on numerous occasions UCC-8 drove RON YARBOROUGH to the Hunter Point apartments in Chesapeake so that he could distribute quantities of cocaine and crack cocaine to CS-8.

28. Between April and July of 2014, RON YARBOROUGH purchased 2 to 3 ounces of cocaine from UCC-6 for \$1,600 per ounce every 2 to 3 days, and thereafter distributed it to

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BRANDON STEPHENS, DEANGELO HYMAN, and CS-8 either inside the CMG music studio on Arrowhead Drive in Virginia Beach or at an apartment in the Huntersville section of Norfolk.

29. In or about early August, RON YARBOROUGH distributed a quantity of heroin to CS-8 for further distribution.

30. In or about September of 2014, RON YARBOROUGH distributed a quantity of heroin to CS-8 for further distribution.

31. Between August and December of 2014, RON YARBOROUGH purchased 4 ounces of cocaine once a week from CARLTON WILSON and redistributed it in part to BRANDON STEPHENS, DEANGELO HYMAN, and CS-8 at the CMG music studio in Virginia Beach or at the Red Roof Inn on Woodlake Drive in Chesapeake.

32. Between November 2014 and February 2015, RON YARBOROUGH and AJENE JORDAN distributed ¼ ounce of crack cocaine to CS-9 and another individual on three occasions in the South Norfolk section of Chesapeake, and on one occasion at the CMG music studio in Virginia Beach.

33. In the last week of November 2014, RON YARBOROUGH purchased 4 ounces of cocaine from CARLTON WILSON.

34. In the last week of November, RON YARBOROUGH distributed three ounces of cocaine to BRANDON STEPHENS, DEANGELO HYMAN, and CS-8 at the Red Roof Inn on Woodlake Drive in Chesapeake.

35. On or about December 2, 2014, RON YARBOROUGH distributed 1 ounce of cocaine each to BRANDON STEPHENS and CS-8 at the Red Roof Inn on Woodlake Drive in Chesapeake for \$1,400 per ounce.

36. On or about December 3, 2014, CARLTON WILSON distributed 2 ounces of cocaine to

RON YARBOROUGH in the parking lot of Q-Masters Billiards, 5612 East Princess Anne Boulevard in Virginia Beach.

37. On December 11, 2014, RON YARBOROUGH distributed approximately 2.3 grams of cocaine to CS-11 at the Foundation Park Cuts barbershop in Chesapeake.

38. On or about April 22, 2015, at approximately 11:17 a.m., BRANDON STEPHENS used Cell Phone #1 to speak with RON YARBOROUGH using Cell Phone #3 to discuss and facilitate the sale of one ounce of crack cocaine. Specifically, STEPHENS tries to negotiate the price down to \$900 by telling YARBOROUGH he can only re-sell it for "*a stack*" (street term for \$1,000) meaning he will only make \$100 profit. YARBOROUGH agrees to sell it to STEPHENS for \$950. (Call Session #1359).

39. On or about April 22, 2105, at approximately 3:22 p.m. and 3:33 p.m., BRANDON STEPHENS used Cell Phone #1 to speak with RON YARBOROUGH on Cell Phone #3 to let him (YARBOROUGH) know that his customer (CS-6) would be ready to purchase 1 ounce of crack cocaine shortly. (Call Session #1400, 1405).

40. On or about April 22, 2015, at approximately 4:29 p.m., UCC-8 drove RON YARBOROUGH to BRANDON STEPHENS' residence in the 1000 block of Hill Street in Chesapeake, where YARBOROUGH delivered approximately one ounce of crack cocaine to STEPHENS. (Call Session #1422).

41. On or about April 22, 2015, at approximately 4:45 p.m., BRANDON STEPHENS distributed approximately 12.6 grams of crack cocaine to CS-6 for \$1,600 at STEPHENS' residence in the 1000 block of Hill Street in Chesapeake.

42. On or about April 22, 2015, at approximately 4:53 p.m., BRANDON STEPHENS using Cell Phone #1 called RON YARBOROUGH using Cell Phone #3 to tell him "*I'm ready for you bro,*"

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meaning CS-6 had left. At approximately 5:01 p.m., YARBOROUGH met with STEPHENS in the 1000 block of Hill Street in Chesapeake, to receive payment for the ounce of crack cocaine recently distributed to CS-6. (Call Session #1438, 1440).

43. On or about May 2, 2015, at approximately 11:33 a.m., BRANDON STEPHENS used Cell Phone #1 to speak with RON YARBOROUGH using Cell Phone #3 to discuss and facilitate the sale of ¼ ounce of cocaine. (Call Session #2947).

44. On or about May 16, 2015, at approximately 4:45 p.m., RON YARBOROUGH used Cell Phone #3 to speak with an individual to discuss and facilitate the distribution of 1½ ounces of cocaine for \$1250. (Call Session #221).

45. On or about May 17, 2015, in a series of calls between approximately 12:40 p.m. and 5:30 p.m., RON YARBOROUGH used Cell Phone #3 to speak with RONALD JOHNSON, DEANGELO HYMAN, and "Tight" to discuss and facilitate the purchase of 4 ounces of cocaine from "Tight." (Call Session #425, 427- 431, 434, 437, 474, 489, 512, 519, 526, 531, 534, 535, 548, 552, 553).

46. On or about May 17, 2015, RON YARBOROUGH and DEANGELO HYMAN possessed with intent to distribute approximately 4 ounces of cocaine in the parking lot of a buffet restaurant at Greenbrier Parkway and Military Highway in Chesapeake.

47. On or about May 18, 2015, in a series of calls between approximately 5:22 p.m. and 7:30 p.m., RON YARBOROUGH used Cell Phone #3 to speak with DEANGELO HYMAN to discuss and facilitate the delivery of a quantity of cocaine to the CMG recording studio on Arrowhead Drive in Virginia Beach. During the conversations, YARBOROUGH and HYMAN discussed where they would cook the cocaine into crack cocaine, and what utensils they needed. (Call Session #748, #764, #767, #770).

49. On or about May 19, 2015, at approximately 7:25 p.m., RON YARBOROUGH used Cell

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Phone #3 to speak with AJENE JORDAN to discuss and facilitate the sale of one ounce of cocaine. During the conversation YARBOROUGH asks JORDAN, "*What do you want . . . a one?*" meaning one ounce of cocaine. JORDAN replies, "*Yeah, that's the easiest...yeah.*" YARBOROUGH agrees and tells JORDAN he is heading "*back to the office,*" (meaning the CMG music studio) to "*grab it right quick.*" (Call Session #1135).

50. On or about May 20, 2015, at approximately 2:18 p.m., RON YARBOROUGH used Cell Phone #3 to speak with RONALD JOHNSON to discuss cooking one ounce of cocaine into crack cocaine. (Call Session #1292).

51. On or about May 21, 2015, at approximately 3:53 p.m., RON YARBOROUGH used Cell Phone #3 to speak with an individual to discuss and facilitate the distribution of a quantity of crack cocaine. At 3:57 p.m., the individual sent a text message to YARBOROUGH telling him that he needed the crack cocaine to be "*dry*" (not wet, or recently cooked) so that he could distribute it quicker. (Call Session #1583, #1585-1586).

52. On or about May 27, 2015, at approximately 1:05 p.m. and 1:27 p.m., RON YARBOROUGH used Cell Phone #3 to speak with "Tight" on two occasions to discuss and facilitate the sale of 4 ounces of cocaine. During the conversation, and in order to assure YARBOROUGH that the cocaine was of good quality, "Tight" told YARBOROUGH, "*...this sh** here, she crystaled up all the way through....*" (Call Session #3176, 3179).

53. On or about May 27, 2015, at approximately 7:48 p.m., RONALD YARBOROUGH used Cell Phone #3 to speak with "Tight" to discuss and facilitate the sale of 4 ounces of crack cocaine. During the conversation "Tight" told YARBOROUGH that he would be ready to meet him at 8:30 p.m. that evening. (Call Session #3227).

54. On or about May 27, 2015, between approximately 8:40 p.m. and 10:08 p.m., RON

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YARBOROUGH used Cell Phone #3 to speak with RONALD JOHNSON in a series of phone calls to discuss the delivery of 4 ounces of cocaine from their source of supply. (Call Session #3240, 3243, 3247, 3255, 3260).

55. On or about May 29, 2015, at approximately 1:34 p.m., RON YARBOROUGH used Cell Phone #3 to speak with AJENE JORDAN to discuss and facilitate the sale of 3 ounces of cocaine. During the conversation JORDAN asks YARBOROUGH, "*Hey look, what are you going to do for the half and the cutie?*" meaning one half and one quarter ounce of cocaine. YARBOROUGH replies, "\$825." They negotiate, and YARBOROUGH ends by agreeing, "*That's yeah, you 3 zips, alright.*" (Call Session #3603).

56. On or about May 29, 2015, at approximately 8:09 p.m., RON YARBOROUGH used Cell Phone #3 to speak with an individual and tell him that he (YARBOROUGH) believed they were surveilled during a narcotics transaction that occurred earlier. YARBOROUGH and the individual also discussed discarding their cell phones and getting new phones due to the incident. (Call Session #3765).

57. On or about May 30, 2015, at approximately 11:41 a.m., RON YARBOROUGH used Cell Phone #3 to tell RONALD JOHNSON that he is going to purchase a new cell phone. (Call Session #3888).

58. On or about May 30, 2015, RON YARBOROUGH obtained a new cell phone (Cell Phone #4), and significantly decreased his use of Cell Phone #3.

59. On or about May 30, 2015, at approximately 3:18 p.m., RON YARBOROUGH used Cell Phone #4 to send BRANDON STEPHENS a text message on Cell Phone #1 to alert STEPHENS to YARBOROUGH's new phone number. (Call Session # 6816).

60. On or about May 30, 2015, at approximately 7:38 p.m., RON YARBOROUGH used

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Cell Phone #3 to speak with an individual who is looking for crack cocaine, but YARBOROUGH tells the individual he is out, and also reminds the individual to call on the new phone number (Cell Phone #4). (Call Session #3988).

61. In June 2015, RON YARBOROUGH and AJENE JORDAN distributed ¼ ounce of crack cocaine for \$380 to CS-9 and another individual at the CMG music studio in Virginia Beach.

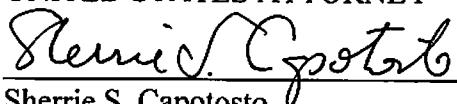
62. On or about June 5, 2015, at approximately 1:56 p.m., RON YARBOROUGH while using Cell Phone #3, complained about someone moving his firearm from one place to another. (Call Session # 4647).

63. On or about June 9, 2015, at approximately 3:33 p.m., RON YARBOROUGH used Cell Phone #4 to speak with BRANDON STEPHENS using Cell Phone #1 to discuss and facilitate YARBOROUGH selling ½ ounce of crack cocaine to STEPHENS for \$450. (Call Session #7807).

64. From October through December of 2015, RON YARBOROUGH, RONALD JOHNSON and another individual combined their money to purchase 2 to 5 ounces of cocaine per week from CARLTON WILSON, then cooked it into crack cocaine and prepared it for further distribution at an apartment in the 1800 block of Sparrow Road in Chesapeake.

Respectfully submitted,


DANA J. BOENTE
UNITED STATES ATTORNEY

By: 
Sherrie S. Capotosto
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between myself and the United States, I hereby stipulate that the above Statement of Facts is true and


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accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



Ron Gerard Yarborough
Defendant

I am RON GERARD YARBOROUGH's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Melinda S. Glaubke, Esq.
Counsel for Defendant

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